

Briefing Notes to BKA AGM Agenda Item 7c

Note from the Chairman:

This amendment arose because of the need to cover something we had not experienced before and therefore we did not have procedures to deal with it. Basically, we realised that we may receive applications to RE-JOIN the Association for ex-members who had resigned or been expelled from the Association. There is no automatic right to re-join the Association and we thought about how best we could handle it fairly.

I recommend that you vote: Yes

MEMBERSHIP AMENDMENTS:

Bylaw 22 and article 10: Re-joining the Association (admin 116):

What has changed?

By law 22 has been added to the Constitution. This clarifies the procedure for article 10.8 applications to re-join the BKA for people who have previously been expelled or resigned while subject to disciplinary proceedings.

Why?

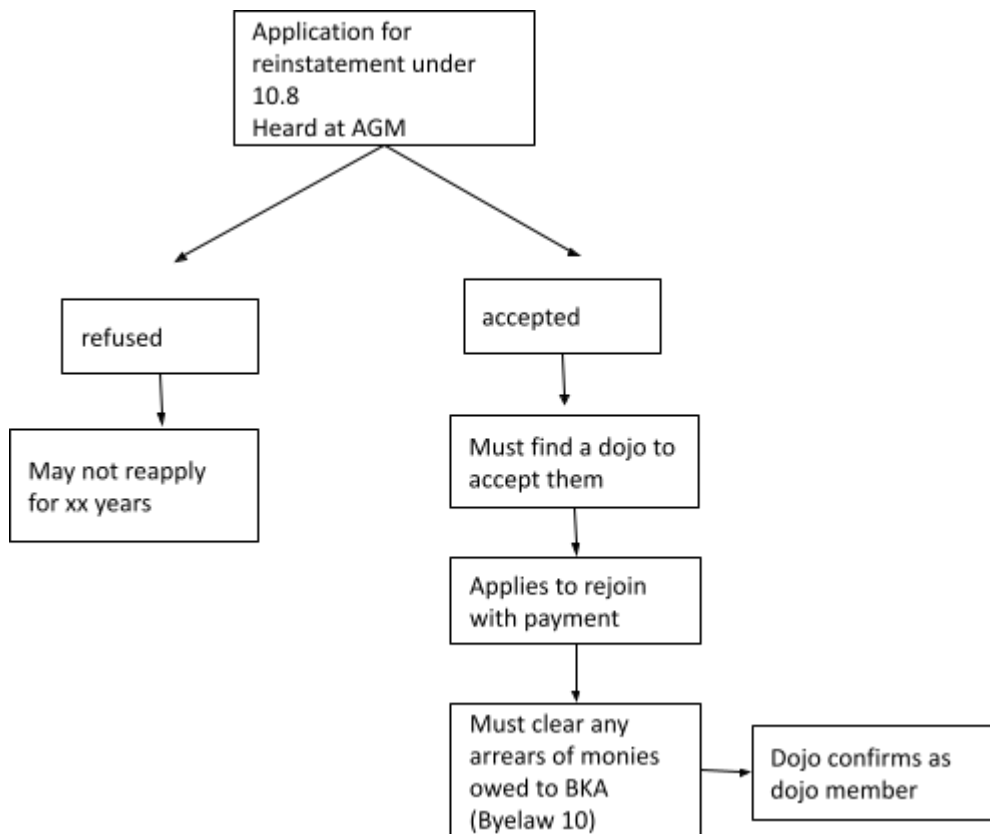
Since 2019 these applications have been heard at the AGM but there has been no procedure for how they would be dealt with, timescales and evidence.

Dealing with these matters in a Bylaw makes the procedure more transparent for all concerned.

What has been added?

- formal procedure for how to deal with applications
- Timetable for filing of evidence
- No re-opening of the merits of the original decision
- Bylaw 10 shall apply (monies owed must be paid, outstanding disciplinary sanctions run from readmission)
- Time Limit on re-application if refused

Summary of process of readmission:



Wording:

Byelaw 22 Applications to re-join the Association

1. Former members whose circumstances fall within A 10.8 may apply in writing (letter/email) for readmission to the Membership Secretary, who shall copy the application to the BKA Secretary, Chair and Vice-Chair. The Secretary shall refer the matter to the next AGM for consideration.
2. The applicant may publish a statement to the membership in support of his or her application, which shall be submitted to the Secretary for filing not less than **12** weeks in advance of the date of the AGM.
3. The NC shall publish a statement concerning:
 - 3.1 The reasons for the expulsion or other disciplinary decisions by the previous AGM or other legitimate body of the BKA.
 - 3.2 Any other evidence which is considered relevant to the decision to be taken by the AGM
 - 3.3 Any such statement shall be filed not less than 3 weeks before the AGM.
4. The onus of proof to show that the applicant should be readmitted, shall be upon the applicant.

5. Where a previous AGM, BKA Committee, Court of Law has made findings of fact or a decision in respect of the former member, then these shall be accepted as the facts of the matter at that time. The applicant shall not be entitled to a rehearing of the original facts.

6. Where re-admission is agreed the provisions Byelaw 10 shall apply to any returning member

7. Where the applicant has been refused readmission then he or she may not apply further for a period of five years.

8. Guidelines to re-join shall be published in order to assist the applicant.

Notice to Applicants re applying to re-join the Association:

1. Please make your application in writing to the Membership Secretary
2. State the date of your expulsion ; or resignation + disciplinary hearing
3. State which dojo you were formerly a member of, and which dojo you intend to join if reinstated.
4. Please include a one page summary of why you feel you should be readmitted to the BKA together with any supporting statements.
5. You must mention **all** facts on which you intend to rely at any readmission hearing.
6. You should try to keep any evidence to a maximum of 10 pages if possible.
7. Please note that the AGM will not overturn any rulings made at the time of your expulsion/ previous disciplinary proceedings: This is a hearing about your circumstances now, not an appeal from previous proceedings.
8. You should let the Membership Secretary have your statement 14 weeks before the date of the AGM so that it can be published to the membership
9. You can find the procedure which will apply to these proceedings in Byelaw 22 of the BKA Constitution.
10. Please note that if you are approved to rejoin:
 - i. You will still need proof of membership of a BKA affiliated dojo before you are able to resume active membership of the BKA.
 - ii. You will need to clear any arrears of monies owed to the BKA before you can be readmitted
 - iii. Any disciplinary sanctions outstanding at the time of your resignation will run from the date of readmission.

Data Protection notice:

In order to be able to determine your application, the BKA will need to process your personal data by disclosure to the membership at the AGM, of relevant information the BKA may hold in respect of any previous disciplinary proceedings and your interactions with the BKA and its members. The lawful bases for processing such data are:

- that it is in the BKA's legitimate interests.
- that in seeking to rejoin you are seeking to enter into a contract of membership with all members of the BKA and it is necessary for this information to be available to the AGM in order to make the decision concerning readmission as a member.

end